

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001	03 MDL 1570 (RCC) ECF Case
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This document relates to:

Burnett v. Al Baraka Invest. & Devel. Corp., 03-CV-9849

Continental Casualty Co. v. Al Qaeda, 04-CV-5970

Euro Brokers, Inc. v. Al Baraka Invest. & Devel. Corp., 04-CV-7279

New York Marine and General Ins. Co. v. Al Qaida, 04-CV-6105

World Trade Center Properties LLC v. Al Baraka Invest. & Devel. Corp., 04-CV-7280

**AFFIRMATION OF ANDREA BIERSTEIN IN OPPOSITION TO MOTION TO DISMISS OF
TAHA AL-ALWANI, MUHAMMED ASHRAF, M. OMAR ASHRAF, IQBAL UNUS,
MOHAMMED JAGHLIT, AHMED TOTONJI AND YAQUB MIRZA**

Andrea Bierstein, an attorney admitted to practice before the courts of the State of New York and before this Court, affirms under penalty of perjury as follows:

1. I am a member of the firm Hanly Conroy Bierstein & Sheridan LLP, co-counsel for plaintiffs in *Burnett*, *Euro Brokers*, and *World Trade Center Properties*, and a member of the Plaintiffs' Executive Committee in these consolidated proceedings. I submit this affirmation to transmit to the Court certain documents referenced in plaintiffs' accompanying Memorandum of Law.

2. Exhibit A to this affirmation is a true and accurate copy of a declaration signed by Robert M. Kaplan, counsel for plaintiffs in the *Continental* case. Mr. Kaplan's declaration was originally submitted in connection with plaintiffs' opposition to the motion to dismiss filed by DMI Administrative Services, S.A. and Dar Al-Maal Al-Islami Trust.

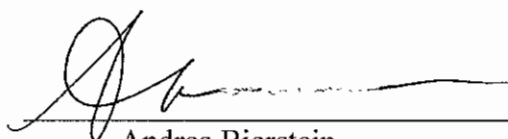
3. Exhibit B to this affirmation is a true and accurate copy of the time- and date-stamped first page of the Second Amended Complaint in *Continental*. This document was originally annexed as an exhibit to Mr. Kaplan's declaration.

4. Exhibit C to this affirmation is a true and accurate copy of a stipulation entered into between counsel for plaintiffs in *World Trade Center Properties* and *Euro Brokers*, on the one hand, and counsel for the SAAR Executive defendants on the other, and so-ordered by this Court on March 24, 2005.

5. Exhibit D to this affirmation is a true and accurate copy of a stipulation entered into between counsel for plaintiffs in *Burnett* and counsel for the SAAR Executive defendants and so-ordered by this Court on March 24, 2005.

6. Exhibit E to this affirmation is a true and accurate copy of Plaintiffs' December 30, 2004, Addition/Removal of Parties Pursuant to Case Management Order No. 2 and Federal Rule of Civil Procedure 15(d), filed in *Burnett*, with a copy of Attachment C thereto. As explained in the subsequently-filed Plaintiffs' Statement Regarding Delayed Filing Of Notice Of Addition/Removal Of Parties, although the Addition/Removal of Parties is dated December 30, 2004, it was electronically filed on January 3, 2005, when the ECF system, which had been unavailable between December 30 and January 3, became available again.

Affirmed in New York, New York on December 28, 2005.



Andrea Bierstein